

Minutes of a Town Council meeting held on December 18th, A.D. 2014 at 7:00 o'clock PM in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III, Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Also present: Tom Dunn, Business Manager and Richard S. Humphrey, Town Solicitor arriving at 7:10 PM. Both Fire Chief Petrin and Police Chief Marion were excused from this evenings meeting.

Salute to the Flag.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the December 4, 2014 Town Council meeting minutes.

Announcements:

1. Upcoming board appointments for January:

1) Little Compton Housing Trust Trustee – January 2016 (unexpired term)

2) Two members of the Harbor Commission to represent a commercial day fisherman and a commercial trip fisherman (3 year terms)

3) Planning Board members (4 year terms)

1) Tree Warden annual appointment in January

2. Update on donation appeal for Peckham Lot Recreation Upgrade – to date in excess of \$20,000 has been raised towards the \$75,000 needed for additional funding towards the project. The Town is very grateful for the donors support.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Police Department Head Report for November 2014.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Fire Department Head Report for November 2014.

Councilor Mushen noted that the new senior van is anticipated to arrive in late January or early February of 2015. He also noted that the relationship between the town and the Stay At Home management needs to be clarified and a formal agreement reached for the varied services previously discussed. An invoice was received this week for “Director Services” by Stay At Home in the amount of \$880. The town was not anticipating any invoicing at this stage due to the fact that the operation of the new van has not taken place, nor has any coordination of the existing van services been handled by Stay At Home. The Councilors acknowledge that a formal agreement needs to be reached prior to any invoicing. They also noted that no budget

is in place for the payment of salaries for senior busing at this time. Stay At Home stated that the services were for hours spent in the development of the program. Councilor Mushen acknowledge that he knew of a proposed budget for services but never committed the town to pay for those services. It should also be noted that the town is paying approximately \$46,000 for the purchase of the van without any monetary relief from Stay At Home and further negotiations will be necessary before the town commits to funding any expenses by Stay At Home.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize Councilors Appleton and Mushen to schedule a meeting with management for Stay At Home to discuss the future of the senior van program including beginning to draft an agreement for anticipated services between the town and Stay At Home; and to vote to not pay the invoice submitted for Director Services in the amount of \$880.00

Discussion of a renewal request for services by Sakonnet Veterinary Hospital. Dr. Kenneth Rix suggests the town consider establishing a plan for any emergency services that may become necessary for an injured dog after hours that will be required to seek care at the Mass-RI Veterinary Hospital in Swansea, MA.

Motion made by Councilor Mataronas, receiving a second by

Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To renew a contract between the Town of Little Compton and VetCor of Tiverton LLC d/b/a Sakonnet Veterinary Hospital LLC to care for stray dogs for a period covering January 1, 2015 through December 31, 2017 at a rate of \$440 per month for 2015 and \$450 per month for 2016 & 2017.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to contact Mass-RI Veterinary Hospital in Swansea, MA to discuss options to develop a contingency plan for emergency services of Little Compton dogs, to additionally seek out the opinion of Dr. Kenneth Rix concerning this matter and return to a future Council meeting with a proposal on the subject.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To refer to the Police Chief all applications received for the position of full time police officer using the established process for review and to return to a future meeting with a report.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To move new business #5 –

Consideration of resolution opposing RhodeMapRI.

Mr. Gary Morse of Barrington, RI asked to speak regarding his experience with RhodeMapRI. Mr. Morse noted that when cities and towns accept HUD funds, such as funding through Community Development Block Grants, they are then required to assure that they are compliant with all HUD requirements. HUD requirements include Affirmatively Furthering Fair Housing (AFFH). Compliance with AFFH is based on statistical analysis of minority populations at the census block level. If a city or town is less than 3% African American, or less than 7% Hispanic it is prima facie evidence of violation of AFFH. Recently HUD has taken cities across the country to Federal Court over these violations and at least with the Westchester County, NY lawsuit a settlement was reached where they must bring the county into compliance to implement low income housing in “all” neighborhoods. After a brief discussion on the subject the following was voted:

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to draft a resolution to oppose RhodeMapRI and to return to the January 8, 2015 meeting with said draft for final adoption.

Being 7:46 PM the Town Council President noted that a Remonstrant’s Hearing published to occur at 7:30 PM will not be

opened as the applicant for the transfer of a Class BV Beverage License has withdrawn the application to transfer into an individual d/b/a Crowther's Restaurant and replaced it with a new application for transfer into an LLC d/b/a Crowther's Restaurant.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Town Clerk to advertise for a Remonstrant's Hearing for the application of a transfer of a Class BV Beverage License now held by Restaurant Group LLC d/b/a Crowther's Restaurant to Crow Rest LLC d/b/a Crowther's Restaurant for premises located at 90 Pottersville Rd., Little Compton, RI.

Motion made by Councilor Bodington, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Council President to return to the January 8, 2015 Council meeting with a draft resolution opposing the RI Division of Planning's Legislative Task Force working draft which recommends establishing a statewide set back from wetlands removing authority for local municipalities to set local restrictions which does not work for municipalities that do not have town infrastructure for water or sewage.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington,

Golembeske, Mataronas, Mushen): To schedule a joint meeting of the Little Compton School Committee and the Town Council on January 8, 2015 beginning at 6:30 PM under RIGL 16-2-21.

Councilor Mataronas asked for a copy of any supporting budget proposals that the School may have available to prepare for the joint meeting.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the Cystic Fibrosis Foundation Mass/RI Chapter to conduct a 62/25 mile Bicycle Ride called the Cycle for Life on September 19, 2015, contingent upon notification with the local Police Department concerning the potential need to hire a police detail for the event, filing of the Town's Indemnification Form and the Special Events Permit to the RI Dept. of Transportation for use of state roads.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the consent calendar as follows:

- 1. Copy of a resolution adopted by the Tiverton Town Council requesting that a meeting of the State Planning Council Consortium scheduled for Dec 11, 2014 be postponed. Said meeting ran as**

scheduled.

2. Copy of a letter of cease and desist regarding a new accessory building sent on property located at 15 Tambourine Lane from the Building Official.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$34,495.09

Verizon Wireless - Drug Forfeiture \$293.85
Graphix Plus - Drug Forfeiture \$610.97 \$904.82
Cox Communications - Police Dept. \$183.98
Cox Communications - Police Dept. \$171.00
KTR Maintenance & Supply LLC - Police Dept. \$18.76
Rob's Auto Care Inc. - Police Dept. \$316.57
Vic's Car Washes - Police Dept. \$9.50
Belmont Springs - Police Dept. \$77.14
Sakonnet Veterinary Hospital - Police Dept. \$440.00
Rob's Auto Care Inc. - Police Dept. \$479.34 \$1,696.29
Verizon Wireless - Transfer Station \$30.25
Verizon Wireless - Building Official \$58.98
Verizon Wireless - Maintenance \$30.23
Verizon Wireless - Maintenance \$34.43
Richard S Humphrey - Town Solicitor \$4,000.00
Richard S Humphrey - Legal Services \$739.50

Matthew Bender & Co Inc. - Town Council \$881.00

Republic Services - Transfer Station \$7,860.62

Paychex of NY LLC - Treasurer \$421.65

Paychex of NY LLC - Treasurer \$429.42

RITCA - Treasurer \$30.00

RI Interlocal Risk Mngt. Trust - Insurance \$691.00

Kevins Auto Parts - Maintenance \$22.00

Petro - diesel \$603.46

Petro - Gasoline \$2,702.85

KTR Maintenance & Supply LLC - Town Hall \$37.52

Cox Communications - Computer \$252.00

Cox Communications - Town Hall Depts. \$248.22

Alarm New England LLC - Town Hall \$317.97

Vision Government Solutions - Assessors \$2,135.08

Modern Printing - Assessors \$128.00

Direct Mail Manager Inc. - Peckham Lot funds \$554.54

Wilbur's General Store - Town Hall \$19.82

Poland Springs - Town Hall - Maintenance \$21.00

Poland Springs - Transfer Station \$7.93

Nationalgrid - IOOF \$26.29

Nationalgrid - Town Hall \$170.40

Nationalgrid - Public Safety Complex \$1,050.80

Nationalgrid - Adamsville Street Lights \$46.60

Nationalgrid - Transfer Station \$102.70

Nationalgrid - Cell Tower \$200.91

Nationalgrid - Street Lights \$17.22

Nationalgrid - 32 Commons \$20.05

Nationalgrid - Peckham Lot Street Lights \$19.40

Nationalgrid - Town Dock \$29.13

Robert Booth - Assessors \$88.48

Susan Sisson - Director of Social Services \$400.00

Verizon Wireless - Ambulance Reim. Fund \$122.91

Maritime Solutions - Ambulance Reim. Fund \$1,211.28

Vic's Car Washes - Ambulance Reim. Fund \$9.50

Image Trend Inc. - Ambulance Reim. Fund \$2,310.00 \$3,653.69

Messenger Security Systems Inc. - Fire Dept. \$120.00

1st Responder Newspaper - Fire Dept. \$80.00

KTR Maintenance & Supply - Fire Dept. \$18.76

Griggs & Browne Co Inc. - Fire Dept. \$50.00

Cox Communications - Fire Dept. \$172.14 \$440.90

Direct Energy - Cell Tower \$271.97

Direct Energy - Adamsville Lights \$50.81

Direct Energy - Street Lights \$8.65

Direct Energy - Town Dock \$25.75

Direct Energy - Peckham Lot \$11.76

Direct Energy - 32 Commons \$12.73

Direct Energy - IOOF \$21.66

Direct Energy - Town Hall \$228.25

Direct Energy - Public Safety Complex \$691.83

Direct Energy - Transfer Station \$131.18

Michael Massa - Harbor Management Fund \$136.02

Don's Marine Inc. - Harbor Management Fund \$585.00

Pioneer Heavy Duty Parts - Highway \$209.98

Ballard Mack Sales & Service Inc. - Highway \$115.35

Rich McGee & Son Excavating - Highway \$869.00

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To take a brief recess at 8:02 PM to allow those in attendance to leave prior to entering into executive session under RIGL 42-46-5(a)(2) – collective bargaining.

At 8:07 PM the Town Council President polled his fellow Councilors as to their wishes to enter into executive session under RIGL Section 42-46-5(a)(2) – collective bargaining for all unions who bargain with the Town Council – LC Municipal Employees Union, IAFF Local 3957 and IBPO Local 644. All voted in favor: (Appleton, Bodington, Golembeske, Mataronas, Mushen).

Attendees during executive session: Charles N. Appleton, Jr., Fred M. Bodington, III, Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Also in attendance Richard S. Humphrey, Town Solicitor.

The Town Clerk left at this portion of the meeting turning the clerical duties over to the Town Council President.

Town Clerk

Discussion of negotiating positions with respect to upcoming negotiations with all three unions.

At 8:39 PM the Town Council President polled his fellow Councilors as to their wishes to come out of executive session under RIGL Section 42-46-5(a)(2) – collective bargaining for all unions who bargain with the Town Council – LC Municipal Employees Union, IAFF Local 3957 and IBPO Local 644. All voted in favor: (Appleton, Bodington, Golembeske, Mataronas, Mushen). No votes were taken.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 8:41 PM.

Robert L. Mushen, Clerk Pro-tem